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February 27, 2006

Dennis O'Leary, Courtroom Clerk for
Honorable Mark L. Wolf
United States District Court
1 Courthouse Way, Suite 2300
Boston, MA 02210
HAND DELIVERY

RE: **UNITED STATES V. HAVEY**
NO. 04 10231 MLW 3

Dear Mr. O'Leary:

I am aware of the Court's Order that as counsel for Mr. Havey I must notify the Court in writing concerning his posture with respect to either trial or plea.

I have spoken to Mr. Havey about this subject.

I have written to Mr. Havey about this subject.

I have thus far received no answer.

In light of that I think it is impossible for me to suggest to the Court that Mr. Havey will plea.

Accordingly, at least as of this date, we will be going to trial.

Should that change I will of course notify you immediately.

Submitted for your information.

Very truly yours,

ROGER WITKIN

/slw

c.c.

client
AUSA Victor Wild
James M. Merberg, Esq.
Elliot M. Weinstein, Esq.
Scott P. Lopez, Esq.
William M. White, Jr., Esq.
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